

#### REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claim 5 has been made a proper independent claim. In addition, the claims have been amended for clarity.

The subject invention relates to a device, e.g., an optical disk drive, connectable to a host, e.g., a personal computer, in which the device enables the apparent random recording and overwriting of information on a recording medium of the write once type, wherein the apparent random recording and overwriting is to the host device connectable to the device.

Applicants believe that the above changes answer the Examiner's 35 U.S.C. 112, paragraph 2, rejection of the claims, and respectfully request withdrawal thereof.

The Examiner has rejected claims 1 and 5 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,151,281 to Van Der Enden et al.

The Van Der Enden et al. patent discloses reading and writing an incomplete recording on an optical disk.

As noted in MPEP § 2131, it is well-founded that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Further, "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v.*

*Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claim 1 (and claim 50 include the limitations "receiving from the host a request for storing the information at a requested storing location in a first area on said recording medium", "checking whether the requested storing location is still unwritten", "writing the information to the requested storing location in the first area when the requested storing location is still unwritten, or writing the information to a free storing location in a second area on said recording medium when the requested storing location is written" and "updating a table administrating the relation between the requested storing location and the actual location, in the first area or the second area on said recording medium, in which the information is written".

The Examiner has indicated that Van Der Enden et al. discloses the limitation "writing the information to the requested storing location in the first area when the requested storing location is still unwritten, or writing the information to a free storing location in a second area on said recording medium when the requested storing location is written" at column 8, lines 15-17: "the still unwritten gaps in this work area are filled with dummy information", and at col. 8, lines 17-21: "areas which have already been written are carefully skipped...the paving procedure is ten repeated for a subsequent work area".

Applicants submit that the Examiner is mistaken. In particular, the noted section of Van Der Enden et al. describes a

paving procedure performed in writing to a recording medium. However, there is no disclosure of the drive receiving a request from a host system to record information at particular location, and if that particular location is already written, to write the information to another location which is still unwritten different from the requested location.

Further, the Examiner indicates that Van Der Enden et al. discloses the limitation "updating a table administrating the relation between the requested storing location and the actual location, in the first area or the second area on said recording medium, in which the information is written", and indicates col. 14, lines 26-31: "the rewriting means are adapted to generate an address translation table including information for translating the original address of rewritten information blocks into the new address of the rewritten information after the rewriting operation".

Again, Applicants submit that the Examiner is mistaken. In particular, the noted section of Van Der Enden et al. is in fact claim 11 therein. However, this is more completely described in Van Der Enden et al. at col. 10, lines 1-34, in which the system drive detects isolated written areas on the record carrier, reads the information in the isolated written area, and rewrites the information in an area contiguous to the initial area. Further, the system drive updates the file management information or takes up the original address and the address after rewriting in an address translation table. As such, there is no disclosure of the drive

receiving a request from a host to store information at a particular location, storing this information at a different location, and then "updating a table administrating the relation between the requested storing location and the actual location, in the first area or the second area on said recording medium, in which the information is written".

In view of the above, Applicants believe that the subject invention, as claimed, is neither anticipated nor rendered obvious by the prior art, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-5 (claims 2-4 having been withdrawn), is now in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

by Edward W. Goodman/  
Edward W. Goodman, Reg. 28,613  
Attorney  
Tel.: 914-333-9611